

A REGULAR MEETING
OF THE
CHEROKEE COUNTY
BOARD OF COMMISSIONERS
March 7, 2016

A regular meeting of the Cherokee County Board of Commissioners was held in the Commissioners Boardroom, also known as Multi-Purpose Room 342, of the Cherokee County Courthouse in Murphy, North Carolina on the 7th day of March, 2016 at 6:30 o'clock p.m.

The following Commissioners were present for the meeting: C.B. McKinnon, Chairman; Dan Eichenbaum, Vice-Chairman; Cal Stiles, member; Gary Westmoreland, member; and Roy Dickey, member. Also present were the following: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager and Clerk to the Board; and, Candy Anderson, County Finance Director. R. Scott Lindsay, County Attorney/Assistant Clerk to the Board was in Raleigh at an attorney conference.

Media present were the Cherokee Scout and Local TV4. DVD copies of commission meetings may be purchased at Local TV4.

The Chairman read the boards adopted ethics statement.

The invocation was given by the county attorney.

The Pledge of Allegiance was led by all.

Agenda Modification:

A Motion was made by Commissioner Dickey to remove Item "g" (NC Commerce Grant Agreement), under New Business. Motion seconded by Stiles. Motion passed.

A Motion was made by Commissioner Dickey to Dome Repair, as Item "o", under New Business. Motion seconded by Commissioner Stiles. Motion passed.

Agenda Adoption:

A Motion was made by Commissioner Westmoreland to adopt the agenda. Motion seconded by Commissioner Dickey. Motion passed.

Public Forum:

Commissioner McKinnon said that he was turning the meeting over to Vice-Chair, Dr. Dan Eichenbaum, for the Public Forum portion of the meeting.

Commissioner Eichenbaum said that there were five people signed up to speak. Before opening the public comment time, Commissioner Eichenbaum read the following statement: “The public hearing is specifically for public input about issues on which the commission is legally allowed to make decisions. We are all concerned about the issues at the health department, but the commission does not have the authority to intervene in these problems. By statute, by law, we cannot hire and fire health department personnel, or direct a health board to make any decisions, at all. All we do is put people on the board; that’s all we do. Therefore, the proper venue for comments about the health department is at meetings of the health board and not public county board of commissioners”.

Commissioner Eichenbaum then read the statement again; adding that, unless someone has something to say about issues that the board of commissioners can make decisions about, that there is no reason to be talking to the board of commissioners. He asked that comments be limited to items that the board of commissioners can address.

Dr. Thomas Clayton came before the board and spoke in support of Board of Health member, Alan Keith. Dr. Clayton asked for Mr. Keith to be reappointed to the Board of Health, to continue serving in the Professional Engineer position. Mr. Keith’s term on the Board of Health had expired and he had applied for re-appointment.

Dr. Carlton Van Horn also came before the board in support of Mr. Keith; speaking of Mr. Keith’s strong ethics and management skills.

The Board of Health appointment was Item “h” on this meeting agenda.

Gayle Horton came before the board in support of Health Director, Towanna Roberts. Mrs. Horton presented a petition, which called for Commissioner C.B. McKinnon to be removed from the Board of Health, and a neutral commissioner to be appointed in Commissioner McKinnon’s place.

Ronnell Harris, retired health department employee, opposed the petition, and spoke in favor of Commissioner McKinnon and other health board members.

Commissioner Eichenbaum said that the Board of Health and the Health Director are responsible for finding solutions to the problems.

Breeze Gibson, current health department employee, was signed up to speak, but did not.

There were no other comments during public forum.

Finance and Budget:

- A Motion was made by Commissioner Stiles to approve a budget revision for a NC Community Foundation Grant awarded to the Juvenile Crime Prevention Council for substance abuse prevention. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Stiles to approve a budget revision for the Corn

Growers Grant to purchase equipment to measure grain humidity. Motion seconded by Commissioner Dickey. Motion passed.

- A Motion was made by Commissioner Westmoreland to approve a budget revision for replacement of the septic system at the Bellview Community Center. Motion seconded by Commissioner Eichenbaum. Motion passed.
- A Motion was made by Commissioner Stiles to approve an ICAC Grant for the sheriff's office. Motion seconded by Commissioner Eichenbaum. Motion passed. The grant will be used for training, equipment, and software to assist the sheriff's office in combatting crimes directed toward the exploitation of children.
- A Motion was made by Commissioner Westmoreland to approve a budget revision to upgrade CAD software and switch to a new CAD software at 911 Dispatch. Motion seconded by Commissioner Dickey. Motion passed.

Budget revisions are available for public inspection, in the office of the Finance Director.

New Business:

- A Motion was made by Commissioner Eichenbaum to approve the 2016 Senior Games/Silver Arts proclamation. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Dickey to approve the Tax Refund Report. Motion seconded by Commissioner Westmoreland. Motion passed.
- A Motion was made by Commissioner Westmoreland to approve the Request for Tax Releases. Motion seconded by Commissioner Dickey. Motion passed.
- After discussion, a Motion was made by Commissioner Stiles to table the Amended Purchasing Policy. Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Stiles to approve a contract between the sheriff's office and Bobby Deese, for the exclusive use of certified K-9, "Dingo". Motion seconded by Commissioner Dickey. Motion passed.
- A Motion was made by Commissioner Dickey to utilize NCDOT funding for paving at EMS Station 3 (Hiwassee Dam). Motion seconded by Commissioner Westmoreland. Motion passed.
- A Motion was made by Commissioner Stiles to approve the 16-17 Juvenile Crime Prevention Council budget and annual plan, as submitted. Motion seconded by Commissioner Westmoreland. Motion passed.
- Alan Keith, Board of Health chairman, came before the board for introduction and request to be re-appointed to the Board of Health. Mr. Keith talked about the progress and changes that have been made and also discussed the new and updated state requirements for local health departments. A Motion was made by Commissioner Stiles to reappoint Mr. Keith at this meeting, since he was the only qualifying board of health applicant; instead of waiting two weeks to finalize it. Motion died for lack of second. Commissioner Dickey and Commissioner Eichenbaum said they had no problem with making the appointment at the next meeting.
- The Nantahala Regional Library Board Application was tabled until the March 21st meeting.
- Commissioner Westmoreland made a Motion to approve the amended hangar lease for

Wood Farms. Motion died for lack of second.

- A Motion was made by Commissioner Stiles to approve the joint agreement between the County and USFS for the Hanging Dog campground. Motion seconded by Commissioner Dickey. Motion passed.
- The board instructed the county attorney to work with the Town of Andrews attorney regarding ownership and interest in the Andrews Industrial Park.
- The Board discussed disposition of the old Co-op building and the disposition of the white house at the health department. Commissioner Eichenbaum made a Motion to declare the Co-op building as surplus property, so that the property can be advertised for sealed bids; and subsequently, an upset bid process. Motion seconded by Commissioner Stiles. Motion passed. Board members will go and look at the white house, prior to making any decision on that property.
- The Board again discussed the FAA violation of occupied homes on airport property. After discussion, Commissioner Stiles made a Motion to issue to occupants, a 120 day Notice to Vacate. Motion seconded by Commissioner Dickey. After discussion, Commissioner Westmoreland made a Motion to table, until he and the county attorney could go and speak to occupants. Motion seconded by Commissioner Eichenbaum. Voting in favor of the Motion was Commissioners Westmoreland, Eichenbaum, and McKinnon. Voting against the Motion was Commissioners Dickey and Stiles. Motion to table passed. The Board will continue discussion at the March 21st meeting.
- After discussion, a Motion was made by Commissioner Stiles to approve the courthouse dome repairs in the amount of \$15,800; and not to exceed this cost, unless approved by the Board. Motion seconded by Commissioner Eichenbaum. Motion passed.

County Manager Items: None

Chairman/Commissioner Items:

Commissioner Stiles made a Motion to allocating dollars from fund balance to replace the contingency fund, to carry through this fiscal year. Motion seconded by Commissioner Westmoreland. Motion passed. The county finance director will come up with an amount and present it at the next meeting.

Adjourn:

There being no further business to come before the Board, a Motion was made by Commissioner Stiles to adjourn. Motion seconded by Commissioner Dickey. Motion passed. The meeting adjourned at 7:44 o'clock p.m.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS ON MAY 16, 2016.